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REMARKS

**1. Claims Amendments**

Claims 1, 2 and 5-10 have been reviewed and amended to conform with USPTO regulations. No new matter has been added.

Claim 1 has been combined with Claims 3 and 4 and now contains the limitations of Claims 1, 3 and 4. No new matter has been added.

**2. Title Amendment**

Applicant has amended the title to better conform with USPTO regulations. No new matter has been added.

**3. Drawings**

Applicant has reviewed the Drawings and submits that the black boxes in FIGs. 1-4 do not need to be labeled with any type of function. As FIGs. 1-4 together with the Specification disclose the invention as claimed, Applicant submits that additional reference numbers are not necessary. See MPEP 608.02(d) (The drawing in a nonprovisional application must show every feature of the invention specified in the claims). In this case, elements such as the blank store 17 or the conveyor belt 27 are not essential elements. As these elements are shown in certain figures, Applicant submits that the FIGs. 1-4 comply with USPTO regulations.

With respect to the objection based on 37 CFR 1.84(p)(4), Applicant has amended the single instance in the Specification in which the reference number 34 was used to designate the "bus". Applicant has reviewed the Drawings to confirm that reference number 34 was not used in other instances to designate both the "bus" and the "interface". In view of Applicant's amendment to the Specification, Applicant requests that the examiner withdraw the objection.

Should the examiner maintain these objections, Applicant further a explanation of these objections.

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**4. 35 USC 103 Rejections****A. Claims 1-5, 9 and 10 are not obvious under 35 USC 103(a)**

Claims 1-5, 9 and 10 have been rejected under 35 USC 103(a) as being obvious over Blumenstock '084 and Kamper '797. Applicant traverses this rejection. As Claims 3 and 4 have been incorporated into Claim 1, this discussion does not deal with Claims 3 and 4, which have been cancelled.

For a claim to be determined obvious (or nonobvious) under 35 USC 103, the claimed material must have been obvious to person of ordinary skill in the art from the prior art. An obviousness determination requires examining (1) the scope of the *prior art*, (2) the *level of skill* in the art, and (3) the *differences* between the prior art and Applicant's invention. *Litton Systems, Inc. v. Honeywell, Inc.*, 117 SCt 1270 (1970). A mere suggestion to further experiment with disclosed principles would not render obvious an invention based on those principles. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 19 USPQ2d 1432 (Fed. Cir. 1991). In fact, an applicant may use a reference as his basis for further experimentation and to create his invention. *Id.* To sustain a rejection under 35 USC 103, the examiner must establish a *prima facie* case of obviousness. MPEP §2142. To establish a *prima facie* case of obviousness, the prior art reference must render obvious all the claim limitations and requires at least "some reason" that would have led a one of ordinary skill in the art to modify the prior art in a particular manner. *Takeda Chemical v. Alphapharm*, Docket No. 06-1329, (Fed. Cir. 2007).

The examiner has not shown that Blumenstock '084 in view of Kamper '797 would render obvious a method of operating a controllers in which an installation program is stored in a central memory of the controller, is executed when the controller and is realized by storing a reference. For example, the current "original version" of the control programs can be stored in the respective main memory of the controller, with copies being stored in a remote memory, such as a central computer. Specifically, copies of the "original" control programs in the main memory of the controller can be stored on the remote memory at certain predetermined times.

Blumenstock '084 discloses a plurality of surface pressure sensor modules connected via a network to a central computer. The individual modules access this central computer to load necessary data into the local memory assigned to the

respective modules. The modules are equipped with so-called "bootloaders" which make sure that the individual programs are automatically loaded from the central computer when the respective module is turned on. As can seen, the central computer of the network is the leading system and the program is reloaded from the central computer.

While Applicant does not concede that Kemper '797 is analogous art, the combination of Blumenstock '084 and Kamper '797 has not been shown to teach the invention as claimed in Claims 1-2, 5, 9 and 10. Kamper '797 discloses an ordinary network, and together with Blumenstock '084 these references makes no mention of an installation program that is contained in the main memory of the controller and that is overwritten after a control program has been transferred from a remote memory into the main memory, as provided by Claim 1. An overwriting of a present installation program is not desired in Blumenstock '084 and such an installation program would have to be executed at every restart, which teaches away from Applicant's invention.

As such, a person skilled in the prior art can therefore find no suggestions in Blumenstock '084 and Kamper '797 that might lead him to the solution according to Independent Claims 1 and 9 or any claim(s) dependant therefrom. Further, the invention can make it possible for the first time in the field of packaging technology to achieve an essentially automatic exchange of defect controllers.

As such, Applicant submits the examiner has not proffered a *prima facie* case of obviousness that Claims 1-2, 5, 9 and 10 are not obvious over Blumenstock '084 and Kamper '797, and Applicant requests that the examiner withdraw this ground for rejection.

**B. The Rejection of Claims 6-8 under 35 USC 103(a) is now moot**

As Claims 6-8 are dependant from or ultimately from Claim 1, Claims 6-8 should be allowable based on the allowability of Claim 1.

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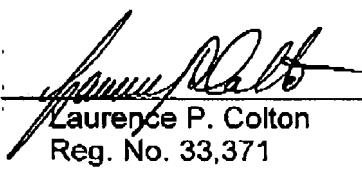
**CONCLUSION**

Applicant submits that the patent application is in proper condition for allowance, and respectfully requests such action.

If the Commissioner or the Examiner has any questions that can be resolved over the telephone, please contact the below signed patent attorney of record.

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